THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.6454 of 2007

30th March 2007

Between:

Stm.Shaik Mastan Bee, W/o.Meeravali,36 years,R/o.Peridepi, Kondepi Mandal, Prakasam District.

...PETITIONER

AND

1. The Revenue Divisional Officer, Kandukur Division, Kandukur, Prakasam District.

And two others.

...RESPONDENTS

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.6454 of 2007

ORDER:

Admittedly, as against the impugned proceedings No.RCF/20/2007 dated 03.03.2007 cancelling the fair price dealership of the petitioner in respect of Peridepi Village of Kondepi Mandal, Prakasam District, an appeal lies to the Joint Collector under Clause 20 of the A.P. State Public Distribution System Control Order, 2001. Therefore, I am not inclined to entertain this Writ Petition.

It is stated that the petitioner made several allegations stating that the impugned order is against the principles of natural justice and the same has been passed with a view to take coercive steps against the petitioner and the respondent earlier passed erroneous orders as if the petitioner resigned the dealership, which was found incorrect by proceedings of the Collector dated 18.03.2006. I am of the opinion that insofar as the charges levelled against the petitioner were held to be proved in the impugned order. The contention of the petitioner is a matter of appreciation by the appellate authority in the statutory appeal.

Accordingly, the Writ Petition is dismissed with liberty to the petitioner to file an appeal before the Joint Collector, Prakasam

District. If any such appeal is filed along with stay application, the orders have to be passed on the stay application as expeditiously as possible. No costs.

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(V.ESWARAIAH, J)

30th March 2007
RRB